

**REMARKS**

The Applicants request reconsideration of the rejection.

On page 2, Item 2 of the outstanding Office Action, the Examiner withdraws the prior rejections under 35 U.S.C. §112, first and second paragraphs, but continues to assert the interpretation made of record on page 3 of the prior Office Action dated January 9, 2008, that the second search of the second database is a search to a different database using the same original input. Respectfully, however, the Applicants note that the specification clearly teaches (e.g., page 6, line 7, through page 7, line 10; page 11, line 25 through page 12, line 6) that the second search is performed using a second input that is derived from the results of the first search, but the second input used for the second search is not the same as the first input used for the first search. More particularly, the first input for the first search comprises key words, document fragments, entire documents, or the like, and the results of the first search comprise documents considered relevant to the first input. The second input for the second search is derived from the first search results in that at least one document retrieved from the first search is re-input to the first database, and terms from this document or documents are used to make a weighted term list that becomes the second input to the second database. The Applicants thus request due consideration of the inventions, as defined in the present claims, with respect to the prior art.

Claims 11-17 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for the reasons set forth on page 3 of the Office Action. The Applicants traverse, noting that the language deemed objectionable is indeed supported by and explained in the specification on page 6, line 19 through page 7,

line 10 (paragraphs [0023]-[0024], identified by the Examiner). As noted in the claims, the second weight is calculated for "each term, which reflects the importance of the term, of each document derived from the second document database by the second search." Paragraphs [0023]-[0024] disclose that "the server 14 calculates the relevance of the summary of the set of key documents sent from the client to the target document database 141 (i.e., the second document database), and returns document identifiers of high relevance to the client 11 with a relevance weighting (*the second weight*). The search module here can be implemented by a keyword search known in the art. Specifically, as the summary of the set of documents which is input is a set of words with weightings (*the first weight*), these words may be considered as weighted input keywords and an OR keyword search performed. In this case, the weighting (relevance) (*second weight*) of the document which is the search result can be calculated" (italicized portions added).

Claims 11-17 stand rejected under 35 U.S.C. §102(e) as being anticipated by Nishioka, et al., US 6,457,004 (Nishioka), which is discussed in the present specification. The Applicants respectfully traverse for reasons of record, and emphasize that Nishioka searches a database, refines or improves the search terms, and then re-searches the same database using the refined terms. During the recent office interview, this difference was discussed, and the Examiner suggested that the claims be amended to indicate the expansion of the first search with a second search of a second database. The Examiner's suggestion has been adopted, with the result that the patentability of these claims should be more clearly evident.

As to this expansion, the Applicants have noted the Examiner's comment as to the alleged expansion of Nishioka's search using button B11. Nishioka discloses,

however, "The set of objects for carrying out various operations on the basis of the search results and the topic word display, includes expand button B11 for retrieving a document similar to the selected document or set of documents" (col. 7, lines 40-44); " The expand button (B11) is for associative search by using as the key a set of selected documents if one or more documents are selected among search results" (col. 25, lines 19-22); and " When expand button (B11) is clicked at the state shown in FIG. 33A, namely the selection state of documents <title-a2> and <title-a4>, the query to commit associative search by using the selected documents as keys is sent to an information provider side, so that the results of associative search and the information about the topic words are sent back and displayed on search results display area P1 and topic word display area P2. For associative search, the score indicating the extent how much the search results meet the query is measured on the basis of the similarity to the key documents, and therefore, a normalized value of the similarity is shown in the score display column. Herein, the highest similarity is normalized as 100. Additionally, the search results are sorted in the decreasing order of such score. The graphic display of topic word is the same as the case of key word search. All the operations as described in FIGS. 27 to FIGS. 33A through 33C can be performed for the present figure" (col. 31, lines 50-67). It is evident that the expansion contemplated by Nishioka does not generate a weighted term list from at least one document inputted to the database from which it was retrieved based on the first search, or that subsequent weights are calculated for the terms of the second input with respect to their importance in the second document database, or that the relevance of each document developed by the second search is determined by calculating an overall weight that takes into account both the weighted term list

resulting from the re-input following the first search AND the second weights, for each document with respect to terms common in both.

The Examiner also suggested that the Applicants consider amending the claims further to indicate the "benefit" obtained by expanding the search in the claimed manner, which may be considered to "build" on Nishioka. In this regard, although the Applicants submit that the benefits of practicing the claimed invention flow therefrom and need not be recited expressly, it can be noted that claim 13 recites that it is the client that transmits the set of at least one document selected via the interface to a first server where the first document database is stored, receives a summary comprising only topic words related to the set of at least one document which is sent, sends the second search input corresponding to the summary reflecting a user's evaluation of the summary to a second server where the second document database is stored, and receives a search result from the search of the second document database. Because the summary is received by the client, it necessarily follows that the summary is not generated in the client. Therefore, network traffic is reduced by leaving this processing outside of the client (on the server side, in a preferred embodiment). See page 7 of the specification. In addition, claims 15-17 and new claim 19 delineate functions performed in the clients and servers that further limit the load on the client.

Claims 11-17 were also rejected under 35 U.S.C. §102(e) as being anticipated by Barr, et al., US 5,873,076 (Barr). The Applicants traverse as follows.

As noted previously, Barr discloses an architecture for processing a search query, wherein a first database is searched in response to the search query, and results thereof are presented to a user. A user can then select one of the documents

developed by the search, and retrieve the selected document from a second database. Thus, Barr performs a document search according to concepts well known to the art, but does not perform a second document search of a second database, and certainly does not perform a second search according to the present claims. The procedure, according to Barr, that follows the search is no more than the retrieval of the document already developed by the search. In terms of art, Barr's first database contains document indexes, but the second database simply correlates images and/or text to the document indexes. Thus, Barr does not teach or fairly suggest the second search of the claimed invention.

The above amendments are believed to further strengthen the argument distinguishing Barr. Therefore, the Applicants request reconsideration.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger, Malur & Brundidge, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. NIT-163-02).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

/Daniel J. Stanger/

Daniel J. Stanger  
Registration No. 32,846

DJS/sdb  
(703) 684-1120